

MAINE STATE LEGISLATURE

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FIFTY-SIXTH LEGISLATURE.

SENATE.

No. 15.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SEVENTY-SEVEN.

[S. 31.] AN ACT to amend section sixteen of chapter
seventy-seven of the revised statutes, relating to the
powers of the supreme judicial court.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows :*

SECTION 1. Section sixteen of chapter seventy-seven
2 of the revised statutes is hereby amended, so as to
3 read as follows :

4 *Sect. 16.* The clerk of a county by virtue of a
5 certificate provided for in this chapter, received in
6 vacation, shall enter judgment as of the preceding
7 term and execution may issue as of that term ; but
8 all attachments then in force continue thirty days after
9 the next term in that county ; and if the defendant
10 was arrested on mesne process and gave bond to dis-

11 close after judgment, he may do so after said next
12 term without breach of his bond ; *provided* that in all
13 cases where a party to a suit dies while the action is
14 pending before the law court, and no suggestion of
15 such death has been made upon the docket of the
16 county where the action is pending at the time of the
17 certificate of decision is received by the clerk of the
18 court in such county, any justice of the supreme judi-
19 cial court may, in term time or vacation, order such
20 action to be brought or carried forward on such county
21 docket to a subsequent term of the court in such
22 county, in order that such death may be suggested
23 upon the docket of the proper party or parties entitled
24 to defend or prosecute such suit may enter their ap-
25 pearance therein, and that the judgment in said action
26 may be entered up at such subsequent term in accord-
27 ance with such certificate from the law court.

SECT. 2. This act takes effect from its approval.

STATE OF MAINE.

IN SENATE, January 26, 1877.

Reported by Mr. WHEELWRIGHT of Penobscot, from the Committee on the Judiciary, and laid over to be printed.

SAMUEL W. LANE, *Secretary.*